

**MINUTES OF THE  
STATE ELECTIONS ENFORCEMENT COMMISSION  
REGULAR MEETING  
May 18, 2005**

***I. Call to Order***

Chairman Cashman called the meeting to order at 9:12 A.M. Commissioners Jenkins and Brett were present. Staff members present were Messrs. Garfield, Lenge, Zepka, Smith, Crayton, Oyola, Ly, Ms. Andrews, Ms. Haqq, Ms. Kulmacz and Ms. Blackburn.

Mr. Garfield requested that the Commission add to today's agenda the matter of Presidential ballots and duplicate voting in the November 2, 2004 election.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to add in Executive Session as Item 4 the Presidential ballot and duplicate voting matter. So voted.

***II. Approval of the Minutes of the April 13, 2005 Regular Meeting***

It was moved Commissioner Jenkins and seconded by Commissioner Brett to approve the minutes of the April 13, 2005 regular meeting. So voted.

***III. Pending Complaints and Investigations***

***A. Public Session***

1. Complaint of Janice Kulpa, Middlebury  
File No. 2005-126  
Proposed Consent Agreement and Order  
Respondent: Keli-Ann Bollard  
Investigator: Attorney Marc W. Crayton  
Managing Attorney: Albert P. Lenge

Mr. Lenge explained the above referenced complaint. Respondent Keri-Ann Bollard has signed the proposed Consent Agreement and Order and Mr. Lenge recommended its adoption.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to adopt the proposed Consent Agreement and Order in File No. 2005-126. So voted. A copy of the Consent Agreement and Order is attached and incorporated herein as part of these minutes.

2. In Re: Northeast Utilities Employees' PAC

File No. 2005-134

Proposed Stipulated Agreement

Respondents: Thomas Dorsey and Margaret Morton

Investigator: Dianna J. Kulmacz, Associate Accounts Examiner

Managing Attorney: Jeffrey B. Garfield

Mr. Garfield explained the above referenced matter. The Commission initiated this investigation after apparent problems with PAC reporting. These discrepancies were brought to the attention of Mr. Garfield by Counsel to NUEPAC. An internal audit by Dianna Kulmacz revealed that Respondent failed to properly disclose contributions received and expenditures made by NUEPAC. Mr. Garfield thanked Ms. Kulmacz for her hard work reviewing all the documents that were provided by NUEPAC officials. The investigation also revealed the organizational failure by NUEPAC officials to properly oversee the committee's operations to ensure accuracy of its public filings. Mr. Dorsey has paid a civil penalty of \$3,000 and NUEPAC has forfeited as a civil penalty \$3,000 to the State of Connecticut. A new treasurer has been named and she is ordered to comply with the reporting requirements and shall fully adhere to the written policy attached to the agreement. The Respondents have signed the agreement and Mr. Garfield recommends its adoption.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to adopt the proposed Stipulated Agreement in File No. 2005-134. So voted. A copy of the Stipulated Agreement is attached and incorporated herein as part of these minutes.

B. *Executive Session per C.G.S. 1-200(6)(B) and (E), and 1-210(b)(4)*

It was moved by Commissioner Jenkins and seconded by Commissioner Brett at 9:17 A.M. to proceed into Executive Session pursuant to C.G.S. 1-200(6)(B) and (E), and 210(b)(4) to discuss strategy and negotiations with respect to pending claims listed as Items 3 and 4. So voted. Present were Commissioner Cashman, Jenkins and Brett. Staff members present were Messrs. Garfield, Lenge, Zepka, Smith, Crayton, Oyola, Ly, Ms. Andrews, Ms. Kulmacz, Ms. Haqq and Ms. Blackburn.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to return to public session at 9:47 A.M. So voted.

The Commission returned to public session and took the following action:

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to add to the agenda the Complaint of Susan Sinclair Wallace, File No. 2005-135 for the purpose of ratifying the issuance of an investigatory subpoena.

Attorney Andrews briefly explained the complaint and the need to review Webster Bank records of the Caucus of Connecticut Democrats PAC.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett to ratify the investigatory subpoena in File No. 2005-135. So voted.

3. In the Matter of 188 Cleveland Avenue  
File No. 2005-101  
Investigator: Attorney Joan M. Andrews  
Managing Attorney: Jeffrey B. Garfield

It was moved by Commissioner Jenkins and seconded by Commissioner Brett that the Commission take no further action with respect to the remaining Respondents in this matter and will indicate the position of the Commission via letter. So voted

4. The Matter Concerning Possible Duplicate Voting in the November 2, 2004 Election.

It was moved by Commissioner Jenkins and seconded by Commissioner Brett that the Commission initiate an investigation into the possible duplicate voting in the Presidential election in 2004. So voted.

#### ***IV. Referrals by the Office of the Secretary of the State***

##### ***A. Non-Filer Compliance***

Referral by the Office of the Secretary of the State  
File No. 2005-130NF  
Rasch for 78th  
Respondent: Leonard Rasch, Treasurer

It was moved by Commissioner Jenkins and seconded by Commissioner Brett that the Commission take administrative notice of compliance by Respondent Rasch with C.G.S. §§ 9-333j and 9-333y and accept as full settlement the payment by Respondent of \$110 to the State of Connecticut, and will take no further action with respect to this matter. So voted.

*B. Find Reason to Believe Recommendations & Designation of Hearing Officers*

File No. 2005-129NF

Committee: Bartlett 2004

Respondent: Thomas Valeri, Treasurer

Investigator: Attorney Joan M. Andrews

Managing Attorney: Jeffrey B. Garfield

Recommendation: Find Reason to believe that Respondent  
Thomas Valeri violated Section 9-333j and  
9-333y of the Connecticut General Statutes

Compliance has been achieved in the above referenced matter.

*V. Referral to Attorney General for Enforcement of Commission Order*

In the Matter of a Referral by the New Haven City Clerk, Claudia Kay

File No. 2004-163NF

Committee to Re-Elect Mae Ola Riddick

Respondent: Derrick Draughn, Treasurer

Final Decision issued on November 17, 2004

Mr. Garfield explained that this matter was referred to the Chief State's Attorney Office for enforcement. The Chief States Attorney has indicated that there may be a statute of limitation problem with this referral. This issue is still pending. Mr. Garfield stated that the attorney of record for Respondent Derrick Draughn has made a partial payment of \$500 towards the \$2,000 civil penalty imposed by the Commission. The attorney for the Respondent has submitted the missing statements and had agreed to submit bank statements to corroborate the information. Mr. Garfield agreed to temporarily suspend further enforcement so that the documentation can be submitted. Further payment has not been forthcoming and the requested documentation has not been furnished. Mr. Garfield recommends the matter be referred to the Attorney General to compel Mr. Draughn him to pay the balance of the civil penalty along with any interest and fees connected with the collection.

It was moved by Commissioner Jenkins and seconded by Commission Brett to refer Mr. Derrick Draughn to the Attorney General for enforcement of the Commission's decision. So voted.

*VI. Legislative Update*

Mr. Garfield stated that the General Assembly session has three more weeks. The four election bills that remain have made it through various different committees. It's possible that SB 55 will be taken up by the Senate today. That bill contains the Commission's recommendations concerning imposing the verified paper record for the new electronic voting machines which the Secretary of the State plans to purchase with

Federal HAVA funds. The CT Conference of Municipalities has opposed the bill because of the fiscal note which says that the Secretary of the State claims that Federal funds may not be used. Mr. Garfield indicated that we had received information from both DOJ and EAC that it is not a problem under HAVA to use Federal funds for VVPRs.

With regard to the other election bills, they are not quite ready for debate in the House or Senate. The absentee voting reform provision as well as other sanctions was approved by the Legislative Management Committee. There are some problems with the bill and Mr. Garfield will try to help rework it to make progress for reform. An amendment that has been drafted will essentially create the accountability requirement of the Town Clerk to number applications, allow for distribution of the application list to candidates and the requirement that candidates instruct their workers on the requirements of the absentee ballot laws.

With regard to campaign finance reform, there is a House version and a Senate version. Both bills contain campaign finance components. The House version is the stronger in the area of lobbyist contributions, ad books and PAC limits. Mr. Garfield hopes that both the House and Senate will agree to come together with one bill. The funding mechanism will affect the bills passing.

Mr. Garfield informed the Commission that he will be in Federal Court in New Haven this afternoon as a witness for the state's defense against the lawsuit that has been filed regarding election day voter registration.

## ***VII. Adjournment***

It was moved by Commissioner Jenkins and Commissioner Brett to adjourn the meeting at 10:25 A.M. So voted.

Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular meeting is scheduled for Wednesday, June 22, 2005 at 9:00 a.m.

Respectively submitted,

Lois E. Blackburn  
Clerk of the Commission